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On August 19, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Mark T. Davis



PATENT
Attorney Docket No.: 017380-000313US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kenneth T. RICHARDSON and
Don C. PEARSON

Application No.: 10/627,439

Filed: July 25, 2003

For: UNIT DOSAGE FORMS FOR THE
TREATMENT OF HERPES SIMPLEX

Examiner: To Be Assigned

Art Unit: To Be Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of reference nos. 1-2 and 4-6 can be found in Application No. 09/828,323, filed April 5, 2001 (Attorney Docket No. 017380-000311US) and copies of reference nos. 3 and 7-18 can be found in Application No. 09/396,019, filed September 15, 1999 (Attorney Docket No. 017380-000310US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



M. Henry Heines
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PTO/SB/08B (10-01)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1 of 2

Complete if Known

Application Number	10/627,439
Filing Date	July 25, 2003
First Named Inventor	Kenneth T. RICHARDSON et. al.
Art Unit	To Be Assigned
Examiner Name	To Be Assigned

Attorney Docket Number

017380-000313US

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
1	US-4,937,234			06-26-1990	Fahim	
2	US-5,599,719			02-04-1997	Woiszwiller et al.	
3	US-5,804,594			09-08-1998	Murad	
4	US-5,962,030			10-05-1999	Fine	
5	US-6,133,318			10-17-2000	Hart	
6	US-6,235,756			05-22-2001	D'Amato	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	7	ALGERT, S.J. et al. "Assessment of dietary intake of lysine and arginine in patients with herpes simplex," <i>J. Amer. Diet Assoc.</i> 1987, pp. 1560-1561, Vol. 87, No. 11.	
	8	AYALA, E. and KRIKORIAN, D. "Effect of L-lysine monohydrochloride on cutaneous herpes simplex virus in the guinea pig," <i>J. Med. Virol.</i> 1989, pp. 16-20, Vol. 28.	
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	11	KNOWLES, R.W. and PERSON, S. "Effects of 2-deoxyglucose, glucosamine, and mannose on cell fusion and the glycoproteins of herpes simplex virus," <i>J. Virol.</i> 1976, pp. 644-651, Vol. 18, No. 2.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	12	KUMEL, V.G. et al. "[Zinc sulfate and heparin for local therapy of herpes. Antiherpetic drugs, not leading to selection of HSV variants]," <i>Fortschr. Med.</i> 1995, pp. 235-238, Vol. 113, No. 15.	
	13	MARTIN, C.P. et al. "Antiviral activity of a D-glucosamine derivative against herpetic ulcers (HSV type 2) in rabbit cornea," <i>Acta. Ophthalmol. (Copenh.)</i> 1989, pp. 55-60, Vol. 67.	
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	17	VOSSEN, R.C. et al. "Intracellular thiol redox status affects rat cytomegalovirus infection of vascular cells," <i>Virus Res.</i> 1997, pp. 173-183, Vol. 48.	
	18	WHITE, L.A. et al. "In vitro effect of ascorbic acid on infectivity of herpesviruses and paramyxoviruses," <i>J. Clin. Microbiol.</i> 1986, pp. 527-531, Vol. 24, No. 4.	

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